

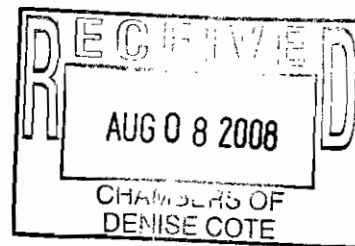
# HANCOCK & ESTABROOK, LLP

COUNSELORS AT LAW

## MEMO ENDORSED

LINDSEY H. HAZELTON  
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August 8, 2008



### VIA FACSIMILE PER PERMISSION

Honorable Denise Cote  
United States District Judge  
U.S. District Court – Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Mattina et al v. Kingsbridge Heights Rehabilitation and Care Center  
U.S. District Court – Southern District of New York  
1:08-cv-06550 (DLC) (ECF Case)

Dear Judge Cote:

We are requesting a one day adjournment of the hearing in the referenced matter now scheduled for Monday August, 11, 2008.

Ms. Sieger was unexpectedly detained yesterday relative to another proceeding and to present, has been unable to meet with us. We understand that her availability today is extremely limited due, in part, to the disruption yesterday and other pending matters. Ms. Sieger is an observant Orthodox Jew and will be further unavailable on Saturday and Sunday due to religious observances. Sunday is Tisha B'Av.

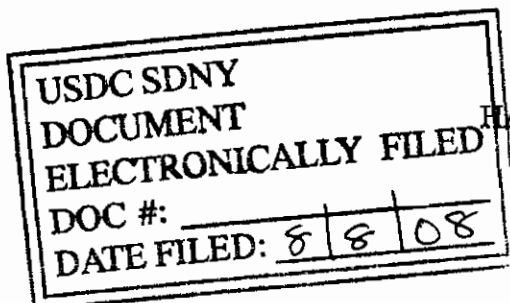
Counsel for Petitioner, Mr. Rucker, has advised us that he does not object to this one day adjournment.

If the Court grants this request and moves the hearing to Tuesday, we also ask that our deadline to submit our position regarding our intended witnesses and our position on the representation in the declaration be likewise adjourned to Monday at 3pm to allow us time to review these issues. Thank you for your consideration.

Respectfully submitted,

HANCOCK & ESTABROOK, LLP

*Lindsay H. Hazelton / slo*  
Lindsay H. Hazelton



LHH/slo

cc: James C. Rucker, Esq., Attorney for Petitioner (Via Fax 212-264-2450)

*The respondent's obligations under the 8/7 Order for August 8 are adjourned to August 11; the hearing is adjourned to August 12 at 9:30 am.*  
*Denise Cote*  
*August 8, 2008*